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PART III.

Legislative Measures and Rules thereunder.

NOTIFICATION.

No. 483—L. C., dated 21st June 1916.

Under Rule 32 of the Rules for the conduct of business of the Mysore Legislative Council, the following Bill to establish and incorporate a University in Mysore is published for general information together with a statement of objects and reasons.

By Order,
G. SREENIVASA IYER,
Secretary, Mysore Legislative Council.

A BILL TO ESTABLISH AND INCORPORATE A UNIVERSITY IN MYSORE.

Preamble.

WHEREAS it is expedient for the better encouragement and organisation of education to establish and incorporate a University in Mysore; His Highness the Maharaja of Mysore is pleased to enact as follows:—

Short Title.

1. This Regulation may be called "The Mysore University Regulation, 1916."

Commencement.

2. It shall come into force at once.

The University.

Incorporation.

3. (1) The persons mentioned in the Schedule I* being the first Vice-Chancellor and members of the Council and of the Senate, and all persons who may hereafter become or be appointed as Vice-Chancellor and members of the Council and the Senate, as the case may be, so long as they continue to hold such offices are hereby constituted a body corporate by the name of the University of Mysore.

(2) The University shall have perpetual succession and a common seal and shall sue and be sued by the name first aforesaid.

(3) The University shall be deemed to be incorporated for the purposes among others of making provision for imparting education, literary, artistic and scientific, as well as agricultural, technical, commercial and professional, of furthering original research, of promoting the study of literature, art, philosophy, history, science and other branches of useful knowledge, and of imparting physical and moral training.

Power to grant degrees, etc.

4. The University shall have power—

(*a*) to provide for instruction in such branches of learning as the University may decide and also for research, and for the advancement and dissemination of knowledge,

(*b*) to grant and confer degrees and other academic distinctions to and on persons who shall have pursued a prescribed course of study in the University and shall have passed the examinations held by the University,

(*c*) to grant diplomas, certificates or other distinctions to persons who have pursued a course of study under conditions approved by the University,

(*d*) to confer honorary degrees or other distinctions,

(*e*) to withdraw degrees, diplomas, certificates or other distinctions granted or conferred, and

(*f*) to do all such other acts and things as may be required in order to further the objects of the University as a teaching and examining body.

Power to hold and dispose of property.

5. The University shall be able and capable in law to take, purchase, and hold any property, movable or immovable, which may become vested in it for the purpose of the University by purchase, grant, testamentary disposition or otherwise; and shall be able and capable in law to grant, demise, alien or otherwise dispose of, all or any of the property, movable or immovable, belonging to the University; and also to do all other acts incidental or appertaining to a body corporate.

The Chancellor.

Chancellor.

6. (1) His Highness the Maharaja of Mysore shall be the Chancellor of the University, and shall by virtue of his office have full control over the affairs of the University and shall take such part as may seem fit to him in presiding over convocations and other public functions of the University.

(2) The Chancellor may at any time direct an inspection of the University, its buildings, laboratories and other appurtenances generally for the purpose of seeing that the proceedings of the University are in conformity with the Regulation and the Ordinances. He may, by order communicated in writing, annul any proceeding which is not, in his opinion, in conformity with the Regulation or the Ordinances.

(3) The Chancellor may at any time appoint a Pro-Chancellor to exercise such powers and functions of the Chancellor as may be delegated to him by the Chancellor. The Pro-Chancellor shall, in all public functions connected with the University, take rank and precedence immediately after the Chancellor.

* This will be published later on.

The Senate.

Senate.

7. (1) The Senate shall, subject to this Regulation and the Ordinances, have the entire charge of the organisation of instruction in the University and the constituent colleges, the curriculum and the examination and discipline of students, and the conferment of degrees.

(2) The Senate shall consist of such number of members not less than forty and not more than sixty as may be fixed from time to time by the Chancellor. Such members shall be styled Fellows.

(3) The members of the Senate named in Schedule I shall hold office for a term of one year from the passing of this Regulation unless they vacate sooner by resignation or other cause. Any casual vacancy among such members shall be filled up by Government and a member appointed to fill such vacancy shall be a member for the residue of the said term of one year.

(4) After the lapse of the said term of one year, the Senate shall be composed of—

(*a*) the Vice-Chancellor and the other members of the Council mentioned in Section 8, the Inspector-General of Education in Mysore and the University Professors,

(*b*) ten members elected by the Senate or by Registered Graduates, and six members by the Faculties, in accordance with the Ordinances framed for the purpose, and

(*c*) the remaining members to be nominated by the Chancellor;

Provided that the election and nomination of persons as Fellows shall be so regulated as to secure in the Senate a majority of persons connected with education.

(5) The election of members shall be subject to the approval of the Chancellor.

(6) The Chancellor may, on the representation of the Senate, cancel the appointment of any person as a Fellow of the University, and as soon as such order is notified in the Gazette, the said person shall cease to be a Fellow.

The Council.

Council.

8. (1) The Executive Government of the University shall be vested in the University Council, which shall consist of not less than nine and not more than twelve members, of whom not less than four shall be University Professors.

(2) The Council shall consist of—

(i) The Vice-Chancellor,
(ii) The Principals of the constituent Colleges,
(iii) The Deans of the Faculties of Arts and Science, and
(iv) The remaining members to be appointed by the Chancellor.

Provided that the Government may at any time direct that all or any of those who are not members *ex officio* may be elected by the Senate from among its Fellows.

The Faculties.

Faculties.

9. The University shall include the Faculties of Arts and Science and such other Faculties as may from time to time be constituted by the Ordinances.

The Vice-Chancellor.

Vice-Chancellor.

10. (1) The Vice-Chancellor shall be appointed by, and shall hold office during the pleasure of, the Chancellor.

(2) The Vice-Chancellor shall take rank in the University next to the Pro-Chancellor and shall be *ex officio* Chairman of the Council and the Senate. He shall be the principal executive and academic officer of the University, and shall,

in the absence of the Chancellor and Pro-Chancellor, preside over the Convocation and confer Degrees. The Vice-Chancellor shall have such powers of superintendence and control over the constituent Colleges as may be defined in the Ordinances.

Degrees.

11. The Senate may institute and confer such degrees, and grant such diplomas, licenses, titles and marks of honour in respect of degrees and examinations as may be prescribed by the Ordinances.

Honorary degrees.

12. Where the Vice-Chancellor and not less than three-fourths of the other members of the Council recommend that an honorary degree be conferred on any person on the ground that he is, in their opinion, by reason of eminent position and attainments, a fit and proper person to receive such a degree and where their recommendation is supported by not less than two-thirds of the members present at a meeting of the Senate and is confirmed by the Chancellor, the Senate may confer on such person the honorary degree so recommended.

Cancellation of degrees and the like.

13. Where evidence is laid before the Council showing that any person on whom a degree, diploma, license, title or mark of honour has been conferred or granted by the Senate has been convicted of what is in their opinion a serious offence, the Council may propose to the Senate that the degree, diploma, license, title or mark of honour be cancelled, and if the proposal is accepted by not less than two-thirds of the Fellows present at a meeting of the Senate and is confirmed by the Chancellor, the degree, diploma, license, title or mark of honor shall be cancelled accordingly.

The Constituent Colleges.

Constituent Colleges.

14. The Central College, Bangalore, and the Maharaja's College, Mysore, and such other colleges and institutions in Mysore or Bangalore as may be handed over to the University to be managed as its constituent parts shall be deemed to be constituent Colleges of the University.

Finance and Control.

University Fund.

15. All grants made in the Government Budget of each year, and all sums paid into the Treasury by private persons or local authorities, for the purposes of the University, together with all fees and donations received, and rents, profits and other income derived from the property and funds vested in the University, shall form a fund styled the University Fund, which shall be at the disposal of the University to be employed for any of the purposes mentioned in this Regulation or in the Ordinances.

Privileges etc., of University employees.

16. Notwithstanding anything contained in this Regulation, all Professors, Assistant Professors and other officers and servants now employed in the constituent Colleges of the University, and all such as may be employed hereafter for carrying on the work of the University, shall, unless a reservation to the contrary is made at the time of their employment, be deemed to be officers holding appointments under the Government and shall in all respects be entitled to the privileges and subject to the restrictions and obligations laid down in the Mysore Service Regulations.

Budget.

17. (1) The Council shall have prepared and laid before them at a meeting to be held not later than the month of March every year, complete accounts of receipts and expenditure of the University for the year preceding, and at a subsequent meeting, which shall be held in this behalf on such day as may be fixed by the Ordinances, a complete account of the actual and expected receipts and expenditure for the current year together with a budget estimate of the income and expenditure of the University for the year to commence.

(2) The budget as passed shall be submitted to Government, and it shall be competent to Government to sanction the budget with such modifications, if any, as they deem fit. The budget so sanctioned may, subject to the sanction of Government, be varied or altered from time to time as circumstances may render desirable, at a special meeting of the Council called for the purpose.

(3) No expenditure shall be incurred unless provided for in a budget so sanctioned, varied or altered.

Audit.

18. (1) The accounts of the University shall once at least in every year and at intervals of not more than fifteen months be audited by such agency as may be prescribed by the Ordinances, or if the Government so direct, by auditors appointed by Government.

(2) The auditors shall, for the purposes of their office, have access to all the accounts and other records of the University.

(3) The accounts, when audited, shall be published together with the auditor's report, in such form as may be prescribed by Government, and a copy thereof shall be submitted to Government.

Submission of proceedings to Government.

19. The Council shall submit to Government without delay copies of their proceedings and orders and of the proceedings of the Senate.

Emergency powers of Government.

20. If at any time Government are of opinion that in any matter the affairs of the University are not managed in the furtherance of the objects and purposes of the University or in accordance with this Regulation and the Ordinances framed thereunder or that special measures are desirable to maintain the standard of University teaching or examinations, they may indicate to the Council any matter in regard to which they desire explanation, and call upon that body to offer such explanation as they desire to offer within such time as may be prescribed.

If the Council fail to offer any explanation within the time prescribed, or offer any explanation which in the opinion of Government is unsatisfactory, Government may issue such instructions as appear to them to be necessary and desirable in the circumstances of the case and the Council shall give effect to such instructions.

Ordinances.

Ordinances.

21. (1) Subject to the provisions of this Regulation, the Senate may, from time to time, make any Ordinances required for carrying out all or any of the purposes of this Regulation.

(2) Such Ordinances may provide for any or all of the following, among other matters, namely :—

(*a*) the constitution, powers and duties of the Council, the Senate, the Faculties and all such other bodies as it may be deemed necessary to constitute from time to time;

(*b*) the nomination, election and continuance in office of the members of the said bodies, and the filling of vacancies among members and all other matters relative to those bodies which it may be necessary or desirable to provide;

(*c*) the number and designation of officers of the University, their powers and duties, and the terms for which they shall hold office;

(*d*) the payment of fees to the University in relation to the enjoyment of privileges therefrom;

(*e*) the degrees, diplomas, licenses, certificates and other academic distinctions to be awarded by the University, the qualifications for the same, and the means to be taken relating to the granting and obtaining of the same;

(*f*) the withdrawal of degrees, diplomas, licenses certificates and other academic distinctions;

(g) the tenure of office, the terms and manner of appointment, and the duties of examiners and examining Boards;

(h) the discipline to be enforced in regard to graduates and under-graduates;

(i) the membership of the University, the duties and privileges of members and removal from membership;

(j) the admission of students to the University and its examinations; and

(k) all such other subjects as are required or authorised by the Regulation to be prescribed by means of Ordinances.

(3) The First Ordinances shall be those set out in Schedule II.

(4) The Senate from time to time may make new or additional Ordinances or repeal the Ordinances in force.

(5) The Council shall have power to draft or propose to the Senate Ordinances to be made by the Senate and it shall be the duty of the Senate duly to consider the same.

(6) All new Ordinances and additions to the Ordinances, and all amendments and repeals of the Ordinances shall, before they come into effect, require the previous approval of the Government, which may sanction, disallow or remit the same for further consideration.

Miscellaneous.

Subsidiary Rules.

22. The Council, the Senate and other bodies that may be constituted under the Regulation and the Ordinances may make such subsidiary rules, not inconsistent with this Regulation and the Ordinances in force, as may be required to regulate the conduct of the business entrusted to them severally.

Acts during vacancies.

23. No act or proceeding of the University shall be deemed to be invalid merely by reason of any vacancy in any class of the Fellows or members of the Senate or Council, or by reason of the total number of Fellows or of members of the profession of education being less than the minimum prescribed by this Regulation, at the time any such act or proceeding is done or had.

SCHEDULE II.

FIRST ORDINANCES OF THE UNIVERSITY.

THE SENATE.

1. Every fellow elected and nominated under the Ordinances shall, unless his Fellowship is previously vacated by resignation or other cause, hold office for two years, but shall be eligible for re-election or re-nomination at the close of the term of office.

2. All casual vacancies among elected members shall be filled up by the body which elected the member whose place has become vacant.

3. The Senate may, for gross misbehaviour unfitting a member in its opinion for his office, and after hearing such member or any other member nominated by him on his behalf, request that his appointment be cancelled under Section 7 (6) of the Regulation.

4. Subject to the Regulation and any Ordinances made in pursuance thereof, the Senate shall, in addition to all other powers vested in it, have the following powers, viz.:—

(a) to discuss and declare an opinion on any matter whatsoever relating to the University;